

GREEN LEVEL CODE of ORDINANCES

Ordinances that create a G.S. 14-4(a) Criminal Offense

CHAPTER 10 – CODE OF ORDINANCES – GENERAL PROVISIONS

§ 10.19 ALTERING CODE. It shall be unlawful for any person to change or amend, by additions or deletions, any part or portion of this code; insert or delete pages, or any portions thereof; or alter or tamper with the code in any manner whatsoever except pursuant to ordinance or resolution or other official act of the Town Council which will cause the law or the town to be misrepresented thereby. (Prior Code, § 10.19) Penalty, see § 10.99

§ 10.99 GENERAL PENALTY. Whenever in this code or in any ordinance of the town any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor or infraction, or whenever in the code or ordinance the doing of any act is required or the failure to do such act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of this code or other ordinance shall be punished by a fine not exceeding \$50 or by imprisonment for a term not exceeding 30 days. Each day that any violation of this code or of any ordinance continues shall constitute a separate offense. (Prior Code, § 10.99) Statutory reference: Authority of town to impose penalty, see G.S. § 160A-175 Violation of town ordinances, see G.S. § 14-4

CHAPTER 34 – TOWN POLICIES – EMERGENCY MANAGEMENT

§34.25 State of emergency; restrictions authorized. -Authorizes mayor, mayor pro tem or next succeeding senior council member of the city council to proclaim, in writing a state of emergency in writing, a state of emergency according to statutory guidelines. The mayor, mayor pro tem or next succeeding senior council member of the city council may direct and compel the evacuation of all or part of the population of the Green Level. The proclamation may impose a curfew prohibiting in certain areas and during certain periods the appearance in public of anyone who is not a member of an exempted class. The proclamation may prohibit the possession or consumption of any alcoholic beverage; including beer, wine, and spirituous liquor other than on one's own premises, and may prohibit the transfer, transportation, sale or purchase of any alcoholic beverage within the area of the city described in the proclamation. The prohibition, if imposed, may apply to transfers of alcoholic beverages by employees of alcoholic beverage control stores as well as by anyone else within the geographical area described. Any person violating any prohibition or restriction imposed by a proclamation authorized by this article shall be guilty of a misdemeanor, punishable upon conviction by a fine not exceeding fifty dollars (\$50.00) or imprisonment not exceeding thirty (30) days, as provided by G.S. 14-4 and shall be further subject to the provisions of G.S. 160A-175.

§§ 34.26 through 34.37. Detail emergency management prohibitions and restrictions referenced in § 34.25.

§ 34.99 Penalty. (A) Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provision of G.S. 10.99. (B) Any person violating any prohibitions or restriction imposed by a proclamation authorized by G. S. 34.25 through 34.37 shall be guilty of a misdemeanor, punishable upon conviction by a fine of \$300 to \$500 or imprisonment not exceeding 30 days, as provided by G. S. 14-4.

CHAPTER 50 -- WATER & SEWER

All pertinent provisions of this chapter are hereby made a part of the terms and conditions whereby the city shall furnish any utility service to any person, or whereby the city shall make any utility connections, or perform any work of any kind in connection with the furnishing of any utility service pursuant to the rules and regulations of the city council. A separate connection is required for each building. No connection may be made outside the Town shall be made with out Council approval. Deposits by tenants are required. Cutting water service on or off without authorization and tampering with or altering the Town's water system is prohibited. Unauthorized connection to the Town's water or sanitary sewer system is prohibited. Prohibited discharges to the Town's sanitary sewer are enumerated. Storm water and ground water discharges are regulated. Pre-treatment, storage tanks for excessive daily volumes and control and measurement devices are required. Damage to Town equipment is penalized.

§ 50.99 Penalty. (A) Any person violating any provision of this chapter shall be guilty of a misdemeanor punishable by a fine in the amount of \$50.00 for each violation of any such provision. each day any violation shall continue shall constitute a separate offense. (B) Failure to comply with any provision of this chapter shall be cause for the discontinuance by the town of sewer service to the offending party. (C) Anyone convicted of cutting on or off any water service or supply or otherwise tampering with or altering the town's water distribution system contrary to and in violation of G. S. 52.23(D) shall pay a fine or penalty of \$150 for each offense.

CHAPTER 70 – TRAFFIC CODE – GENERAL PROVISIONS

§§ 70.01-71.56 Traffic Violations. Violations of the provisions of these chapters are civil penalties or infractions. However, there are misdemeanor violations for any person to do any act forbidden or failing to perform any act required by this code. Prohibited acts include failure to comply with order or direction of a police officer, failure to obey signs and traffic-control devices, and failure to obey traffic and parking regulations.

§ 70.99 Penalty. Unless the provisions of G. S. 70.35 and 70.36 are applicable, it is a misdemeanor or an infraction for any person to do any act forbidding or fail to perform any act required by this code, punishable by a fine of not more than \$75.

CHAPTER 71 -- TRAFFIC REGULATIONS

Prohibited acts include: use of bicycles, roller skates, coasters, toy vehicles or similar devices on roadways and streets; riding on handlebars; clinging to vehicles; driving through funeral processions; driving through school property; boarding or alighting from moving vehicle or conveyance; riding in vehicle or conveyance in manner not designed or intended for passengers or without permission or with part of body extending beyond the limits of the vehicle; unsafe backing of vehicle; driving in excess of established speed limits; failure to stop at a stop sign; entering an intersection unsafely; obstructing an intersection or a crosswalk; disobeying turn signs or direction of travel indications; and making a u-turn.

§ 70.99 Penalty. Unless the provisions of G. S. 70.35 and 70.36 are applicable, it is a misdemeanor or an infraction for any person to do any act forbidding or fail to perform any act required by this code, punishable by a fine of not more than \$75.

CHAPTER 72 -- PARKING

§§ 72.01 – 72.99 Parking. Prohibited acts include: Stopping vehicle in street except as permitted for parking, a funeral procession, for railway gates, for traffic signals, for a pedestrian or for an emergency; parking in disobedience to signage or markings; obstruction of traffic; parking a vehicle, detached trailer or van for purposes of sale, washing, maintenance, storage, transferring merchandise or freight from one vehicle to another, advertisement; moving vehicle of another operator into restricted area; and using designated loading zone for private parking.

§ 72.99 Penalty. Unless the provisions of 70.35 and 70.36 are applicable, it is an infraction for any person to violate a provision of this chapter, punishable by a fine of not more than \$50. *Penalty for parking violations see G.S. § 14-4 (b).*

CHAPTER 73 --TRUCK ROUTES

§§ 73.01 – 73.03. Trucks are prohibited on Town streets except with the destination of the truck for service or delivery is located on a Town street or the origin of a truck is located on a Town street. Trucks shall minimize travel along a Town Street.

§ 73.99 Penalty. Violation of this chapter shall be a misdemeanor and shall be punishable by a fine of not more than \$150 or imprisonment for not more than 30 days as set forth in G.S. 14-4.

CHAPTER 74 -- PARKING COMMERCIAL VEHICLES IN RESIDENTIAL NEIGHBORHOODS

This Chapter prohibits parking of vehicles having a length in excess of 25 feet or in excess of 10 feet in height with-in 300 feet of any dwelling or residence and leaving vehicles containing flammable or combustible liquids or gases or hazardous materials unattended.

Violations of this chapter are subject to the penalties set out in **§ 10.99 GENERAL PENALTY.**

CHAPTER 90 -- ABANDONED VEHICLES

This Chapter prohibits the abandonment of vehicles, possession of nuisance vehicles and junked vehicles other than one junked vehicle located in the rear yard of the owner or other junked vehicles properly concealed in a structure, and unauthorized removal of an impounded vehicle.

Violations of this chapter are subject to the penalties set out in **§ 10.99 GENERAL PENALTY.**

CHAPTER 91 -- ANIMALS

This Chapter prohibits: allowing animals to run at large; possession of a dangerous, or fierce dog; possession of a nuisance animal; failure to properly feed, shelter and house an animal; animal cruelty or abuse; combat between animals or between animals and humans; allowing an animal to excessively or untimely bark, whine or howl; maintenance of chickens without a permit or not in compliance of sanitation, sheltering, and set-back regulations set out in § 91.05; keeping roosters or other fowl including ducks, geese or turkeys; and commercial sale of chickens and chicken by-products.

§ 91.99 Penalty. Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of **§ 10.99 GENERAL PENALTY.**

CHAPTER 92 -- FIRE PREVENTION

This Chapter prohibits: failure to yield right-of-way to fire apparatus responding to an alarm or to pull a vehicle to the curb and stop to allow fire apparatus to pass; parking vehicles in the vicinity of a fire; congregating or interfering with the work of the Fire Department; driving over fire hose; mounting fire apparatus without permission; burning leaves, tree trimmings, grass branches or similar matter in a street right-of-way, alley or sidewalk within the town; encumbering a fire escape, balcony or ladder; failing to light fire exit signs at theater or motion picture house performances; failure to keep premises free of fire hazards; hauling gasoline or petroleum products except for purpose of delivery to purchasers with appropriate signage and attendant; and unauthorized open burning of refuse or combustible materials.

Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of **§ 10.99 GENERAL PENALTY**.

CHAPTER 93 -- HEALTH AND SANITATION

This Chapter prohibits: Emitting excessive smoke, dust, noise or unhealthy odors; public health and safety nuisances;

§ 93.99 Penalty. Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of **§ 10.99 GENERAL PENALTY**.

CHAPTER 94 -- NOISE

This chapter prohibits unreasonably loud, disturbing and unnecessary noise including those resulting from: sounding a horn or signal device, playing a television, radio, phonograph or musical instrument, keeping an animal or bird, the use of a vehicle, blowing a steam whistle, discharge from a steam engine, internal combustion engine or motor vehicle; from the erection, excavation, demolition, alteration, repair or cleaning of the outside of any building or unreasonably interfering with the operation of a school, library, sanitarium, court, hospital, church or funeral parlor. Also prohibited are the creation of loud and excessive noise in connection with: the loading and unloading of a vehicle or the destruction of bales, boxes, crates and containers; the shouting of peddlers, hawkers and vendors; the use of any device to attract attention to any performance, show, sale, display or advertisement of merchandise; and the operation of any motor bike. Any mechanically or electronically produced or amplified sound that exceeds 50 decibels between 10 p.m. and 8 a.m. or 60 decibels between 8 a.m. and 10 p.m. without a town permit or exemption is prohibited. It is also unlawful to operate or maintain any device casting sound upon any street or public place or for the purpose of attracting the attention of the public, or to the annoyance or inconvenience of travelers or persons on neighboring premises.

§ 94.99 Penalty. Violation of this chapter shall be a misdemeanor and shall be punishable by a fine of not more than \$50 or imprisonment for not more than 30 days as set forth in GS 14.4

CHAPTER 95 -- PARADES, PICKET LINES AND GROUP DEMONSTRATIONS

No parade, picket line or group demonstration is permitted on the streets or sidewalks of the Town without a permit issued by the Town. An exception is made for the peaceful assembly of any group for orderly expression or communication between those assembled. It is unlawful: for any minor to participate, or to be encouraged, lead or allowed to participate, in a parade, picket line or group

demonstration without the issuance of a permit; to cause, participate, lead or encourage deviation from a permit or within any public building or structure; or to hamper, obstruct, impede or interfere with such activity. No person, firm or corporation shall block a public street or sidewalk in Town. Any public meeting, speech or gathering shall be conducted only on a sidewalk and at a minimum of 50 feet from any street corner. The speaker shall not interfere or permit members of the gathering to interfere with the orderly movement of vehicles or pedestrians and shall not in a loud or violent manner annoy or frighten persons using the streets, sidewalks or adjacent properties or outside the hours of the permit.

Violations of this chapter shall be a misdemeanor and shall be punishable by a fine not more than \$50 or imprisonment for not more than 30 days as set forth in G.S. §14-4 as set forth in **§ 10.99**

CHAPTER 96 -- COMMUNITY APPEARANCE STANDARDS

The existence of any of the following conditions on any lot or parcel of land within the zoning jurisdiction of the Town is unlawful: Litter, worn-out, deteriorated or abandoned furniture, appliances or similar products, junk, waste materials, unusable building materials, trash, garbage, barrels, cans, papers, bricks, rubbish or combustible materials in open space, exposed to the outside or in public view; presence, accumulation, storage or placement of indoor furniture on porches and in yards and junk maintained in a manner allowing overgrowth or infestation of wild animals.

Violations of this chapter shall be a misdemeanor and shall be punishable by a fine not more than \$50 or imprisonment for not more than 30 days as set forth in G.S. §14-4 as set forth in **§ 10.99**

CHAPTER 110 -- LICENSES

It is unlawful to conduct business within the Town without a privilege license and payment of the privilege tax imposed by this Chapter or to sell or permit beer or wine to be sold or to allow the consumption of beer or wine on a business premises between the hours of 1 a.m. Sunday through 7 a.m. Monday unless permitted by the State Board of Alcoholic Beverage Control.

Violations of this chapter shall be a misdemeanor and shall be punishable by a fine not more than \$50 or imprisonment for not more than 30 days as set forth in G.S. §14-4 as set forth in **§ 10.99**

CHAPTER 111 -- ADVERTISING

No person shall throw or deposit handbills in or on any sidewalk, street, public place or vehicle, or hand out, distribute or sell any handbill in a public place except a non-commercial handbill to a person willing to accept it. No person distributing handbills shall obstruct or impede traffic or pedestrians, cause a danger of a breach of peace or to the life and safety of vehicle occupants or pedestrians, deposit handbills on uninhabited or vacant property or on inhabited property except to the occupant between the hours of 8 a.m. to 8 p.m. when signage on the property permits. Commercial distributors must have a town license and identify the originator and distributor of the handbill. Bill posters must have a license and obtain the permission of the landowner and may not post upon any utility poles. It is unlawful to remove or injury any advertisement lawfully posted or displayed so long as it is of value for the purposes displayed.

Violations of this chapter shall be a misdemeanor and shall be punishable by a fine not more than \$50 or imprisonment for not more than 30 days as set forth in G.S. §14-4 as set forth in **§ 10.99**

CHAPTER 112 -- CANVASSERS AND SOLICITORS

This chapter prohibits solicitors, peddlers, and itinerant merchants from calling on private residences for the purpose of peddling or soliciting without a permit and wearing a town issued badge.

§ 112.99 Penalty. Any person, firm or corporation violating the provision of this chapter shall, upon conviction, be guilty of a misdemeanor and shall be punished in accordance with the provisions of 10.99.

CHAPTER 113 -- FOOD TRUCKS/MOBILE FOOD VENDING UNITS

This chapter prohibits the operation of food trucks/mobile food vending units without a permit, outside the limits approved by the Code Enforcer or upon town owned property or public streets. No food shall be sold, prepared or displayed outside the food truck/mobile food vending unit while on the location noted on the permit. Vendors shall provide appropriate waste receptacles, remove all waste generated daily, operate between the hours of 8 a.m. to 9 p.m. and not represent a permit as endorsement from the Town or discharge liquid waste. Vendors shall not use flashing, blinking or strobe lights, loud music, amplification or crying out, signage not on the unit, or similar effects to draw attention to the truck or unit and use opaque hood shields to direct illumination downward. Vendors are prohibited from providing or allowing a dining area or placing personal property including furniture, fixtures, counters, booths and equipment outside the unit. Electricity or power must be self-contained within the unit. The unit shall not be located within 75 feet of the main entrance of a restaurant without permission of the owner or operate within 100 feet of any school, religious institution or cemetery. Vendors must be approved and permitted by the Alamance County Health Department and carry \$1,000,000 of auto liability and \$1,000,000 of general liability insurance and provide a certificate of insurance prior to issuance of the permit.

§ 113.11 Penalty. Any person, firm or corporation violating the provisions of this chapter shall be guilty of a misdemeanor and punished and shall be fined not more than five hundred dollars (\$500) and shall be further subject to the provisions of GS 160A -175.

CHAPTER 130 -- OFFENSES AGAINST PROPERTY

This chapter makes it unlawful to willfully or neglectfully injure or interfere with any item of public property used in the Town's water, sewer, police, fire, traffic or alarm systems, to destroy, injure, deface, cut or pull down any light, pump, well, tree, shrub or flower in any street, park or public place, to injure, damage or deface any building belonging to the Town, or to damage any fire hose.

Violations of this chapter shall be a misdemeanor and shall be punishable by a fine not more than \$50 or imprisonment for not more than 30 days as set forth in G.S. §14-4 as set forth in **§ 10.99**

CHAPTER 131 -- OFFENSES AGAINST PUBLIC PEACE

This chapter prohibits the consumption of alcoholic beverages on any property owned, leased, rented or under the control of the Town.

Violation of this chapter shall be punished by a fine not exceeding \$50 or by imprisonment for a term not exceeding 30 days as set forth in G.S. §14-4 as set forth in **§ 10.99**.

CHAPTER 132 -- FIREARMS

The chapter prohibits: the discharge of a firearm within the corporate limits of Green Level or on any town owned property except in the lawful defense of person or property or by or at the lawful direction of law enforcement or authorized military personnel; the discharge of an air gun within 600 feet of any residence unless accompanied by a parent, guardian, or other adult supervising the minor in the act of shooting; and hunting of birds, wildlife, animal or fowl within the town or on any town owned property.

§ 132.99 Penalty. Violation of this chapter shall be a misdemeanor and shall be punishable by a fine of \$50 or imprisonment for not more than 30 days as set forth in G. S. 14-4.

CHAPTER 151 -- FLOOD DAMAGE PREVENTION

This chapter requires a floodplain development permit prior to the commencement of development activities within special flood hazard areas and prohibits the location, extension, conversion, alteration, or development of a structure or land without compliance with the chapter and applicable regulations. It makes unlawful: failure of an owner of a building or property to develop property in accordance with the standards of the ordinance; failure to comply with an order of the town to take corrective action; or to dev

§ 151.999 Penalty. Violation of the provisions of this chapter or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall upon conviction thereof, be fined not more than \$150 or imprisoned for not more than 30 days, or both. Each day such violation continues shall be considered a separate offense. Nothing therein contained shall prevent the town from taking such other lawful action as is necessary to prevent or remedy any violation.

CHAPTER 152 – SUBDIVISIONS

No subdivision plat of land within the town's jurisdiction (including extraterritorial jurisdiction) shall be filed or recorded until it has been submitted to and approved by the appropriate agencies and approval entered in writing on the face of the plat by the chairperson or head of that agency in accordance with the standards of this chapter.

§ 152.999 Penalty. (A) Generally. After the effective date of this chapter, any person who, being the owner or agent of the owner of any land located within the territorial jurisdiction of this chapter, thereafter subdivides his or her land in violation of this chapter or transfers or sells land by reference to, exhibition of or any other use of a plat showing a subdivision of the land before the plat has been approved under the terms of this chapter and recorded in the Office of the Register of Deeds of the county shall be guilty of a Class 1 misdemeanor. The descriptions by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty. The town, through its Attorney or other official designated by the town, may enjoin illegal subdivision, transfer, conveyance or sale of land by action for injunction. The court shall, upon appropriate findings, issue an injunction and order requiring the offending party to comply with the subdivision regulations, building permits required pursuant to G. S. 160-417 may be denied for lots that have been illegally subdivided. Further, violators of this chapter will be subject, upon

conviction, to fine and/or imprisonment as provided by G. S. 14-4. The town may institute any appropriate action or proceedings to prevent the unlawful subdivision of land, to restrain, correct or abate the violation, or to prevent any illegal act or conduct.

(B) Pre-sale contracts. The provisions of this section shall not prohibit any owner of his, her or its agent from entering into contracts to sell or lease by reference to an approved preliminary plat for which a final plat has not yet been properly approved under the subdivision regulations or recorded with the Register of Deeds, provided the contract does all of the following.

(1) Incorporates as an attachment a copy of the preliminary plat referenced in the contract and obligates the owner to deliver to the buyer a copy of the recorded plat prior to closing and conveyance;

(2) Plainly and conspicuously notifies the prospective buyer or lessee that a final subdivision plat has not been approved or recorded at the time of the contract, that no governmental body will incur any obligation to the prospective buyer or lessee with respect to the approval of the final subdivision plat, that changes between the preliminary and final plats are possible, and that the contract or lease may be terminated without breach by the buyer or lessee if the final recorded plat differs in any material respect from the preliminary plat;

(3) Provides that if the approved and recorded final plat does not differ in any material respect from the plat referred to in the contract, the buyer or lessee may not be required by the seller or lessor to close any earlier than five days after the delivers of a copy of the final recorded plat; and

(4) Provides that if the approved and recorded final plat differs in any material respect from the preliminary plat referred to in the contract, the buyer or lessee may not be required by the seller or lessor to close any earlier than 15 days after the delivers of the final recorded plat, during which 15-day period the buyer or lessee may terminate the contract without breach or any further obligation and may receive a refund of all earnest money or prepaid purchase price.

(C) Prohibition. The provisions of this section shall not prohibit any owner or its agent from entering into contracts to sell or lease land by reference for an approved preliminary plat for which a final plat has not been properly approved under the subdivision chapter or recorded with the Register of Deeds where the buyer or lessee is any person who has contracted to acquire or lease the land for the purpose of engaging in the business of construction of residential, commercial or industrial buildings on the land, or for the purpose of resale or lease of the land to persons engaged in that kind of business, provided that no conveyance of that land may occur and no contract to lease it may become effective until after the final plat has been properly approved under the subdivision chapter and recorded with the Register of Deeds.

CHAPTER 153 – ZONING

No building or land shall be used and no building or part shall be erected, moved or altered except in conformity with the regulations specified for the district in which it is located, except as provided in this chapter. No yard or lot existing at the time of passage of this chapter shall be reduced in size of area below the minimum requirements set forth, except for street widening. Yards or lots created after the effective date of this chapter shall meet at least the minimum requirements established by this chapter. Every building erected, moved or structurally altered shall be located on a lot and no more than one principal building and customary accessory buildings on the lot. Visibility shall be maintained within

the sight triangle of intersections. Every lot shall abut a street. No sign shall be erected without a permit from the Zoning Enforcement Officer.

§ 153.183 Solar Arrays. Residential and non-residential land uses shall be allowed to develop onsite solar arrays as a customary use subject to submittal of a professionally prepared site plan in accordance with § 153.181 and subject to the standards of this section and chapter. A Solar Array/Public Utility or Solar Farm must have a minimum lot size of 10 acres, be approved as an M-1 Limited Manufacturing District Conditional Use, and meet the general standards and submittal and decommissioning requirements of this section and chapter.

§ 153.999 Penalty. (A) Generally. Any person who, violates the provisions of this chapter shall, upon conviction, guilty of a misdemeanor and shall be fined not more than \$50 or imprisonment for not more than 30 days. Each day a violation continues to exist shall be considered a separate offense provided the violation of this chapter is not corrected within 30 days after the notice of violation is given.
as set forth in G. S. 14-4.

(B) *R-MHP Manufactured Home/Mobile Home Park District.* Any person, firm or corporation who commits any violation of § 153.092 or provides false information to a town official shall be guilty of a misdemeanor, and upon conviction therefor shall be fined not more than \$500 each day or portion of a day during which any violation occurs or continues shall be a separate offense.